

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.8506 of 2006

Sugatpriya S. Shinde .. Petitioner

V/s

Mrs.Indira D. Sharma and Ors... Respondents

Shri C.G.Gavnekar for the Petitioner

CORAM:S.R.SATHE, J.

DATED:13th July 2007

P.C.:-

1. Heard the learned Advocate for the Petitioner.
2. Perused the order passed by the trial Court. From the perusal of the application as well as the order it is very clear that the learned trial Judge has rightly observed that plaintiff has not made out a case for order under Order 38 Rule 5 of Code of Civil Procedure. The order passed by the learned trial Judge is legal and correct and there is absolutely no necessity to interfere with the said order by exercising special jurisdictional of this Court. Hence the petition is rejected.

3. The trial Court is directed to disposed of the suit as early as possible.

(S.R.SATHE, J.)